



TFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 2499**
Yasushi KOHNO et al. : Attorney Docket No. 2005_0411A
Serial No. 10/528,240 : Group Art Unit 1621
Filed April 22, 2005 : Examiner Brian J. Davis
AMINO ALCOHOL DERIVATIVES, SALTS : **Mail stop: amendment**
THEREOF AND IMMUNOSUPPRESSIVE
AGENTS

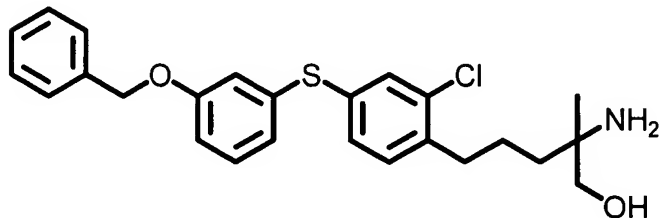
RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

Sir:

This is responsive to the Office Action of May 31, 2007, in which the Examiner requires an election of species within the scope of formula (1) in claim 1. Applicants hereby elect the species of Example 184, beginning on page 116 of the specification, i.e., (\pm)-2-amino-5-[4-(3-benzyloxyphenylthio)-2-chlorophenyl]-2-methylpentane-1-ol, having the structure



as shown at the bottom of page 116.

The Examiner has requested that the elected species be explicitly defined in terms of the variables of formula (1). This information is provided below:

R1: benzyloxy group (BnO)

R2: hydrogen

R3: 2- chlor group (Cl)

R4: hydrogen

R5: methyl group

R6: hydrogen

R7: hydrogen

n: 3

X: sulfur atom (S).

The claims that read on the elected species are claims 1, 5, 6, 8, 9 and 11-17.

This election is made while reserving Applicants' rights under 35 U.S.C. 121 to file a divisional application for any claims that may be withdrawn from further consideration.

Action on the merits is requested.

Respectfully submitted,

Yasushi KOHNO et al.

By: 

Michael R. Davis

Registration No. 25,134

Attorney for Applicants

MRD/ra

Washington, D.C. 20006-1021

Telephone (202) 721-8200

Facsimile (202) 721-8250

June 26, 2007